

CHAPTER 1099**PRESENTENCE INVESTIGATIONS***H.F. 2325*

AN ACT to limit the use of presentence investigations.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 901.2, unnumbered paragraph 1, Code 1993, is amended to read as follows:

Upon a plea of guilty, a verdict of guilty, or a special verdict upon which a judgment of conviction of a public offense may be rendered, the court shall receive from the state, from the judicial district department of correctional services, and from the defendant any information which may be offered which is relevant to the question of sentencing. The court may consider information from other sources.

PARAGRAPH DIVIDED. Notwithstanding section 13.10, the court may determine if the defendant shall be required to provide a physical specimen to be submitted for DNA profiling if the defendant is to be placed on probation or work release. The court shall consider the deterrent effect of DNA profiling, the likelihood of repeated violations by the defendant, and the seriousness of the offense. When funds have been allocated from the general fund of the state, or funds are provided by other public or private sources, the court shall order DNA profiling.

The court shall not order a presentence investigation when the offense is a class "A" felony. If, however, the board of parole determines that the Iowa medical and classification center reception report for a class "A" felon is inadequate, the board may request and shall be provided with additional information from the appropriate judicial district department of correctional services. The court shall order a presentence investigation when the offense is a class "B," "B", class "C," "C", or class "D" felony. A presentence investigation for a class "B," "B", class "C," "C", or class "D" felony shall not be waived. The court may order, with the consent of the defendant, that the presentence investigation begin prior to the acceptance of a plea of guilty, or prior to a verdict of guilty. The court may order a presentence investigation when the offense is an aggravated or misdemeanor. The court may order a presentence investigation when the offense is a serious misdemeanor only upon a finding of exceptional circumstances warranting an investigation. Notwithstanding section 901.3, a presentence investigation ordered by the court for a serious misdemeanor shall include information concerning only the following:

Approved April 19, 1994

CHAPTER 1100**RACING AND GAMING – MISCELLANEOUS PROVISIONS***H.F. 2375*

AN ACT relating to the regulation of pari-mutuel racetracks and gaming on excursion gambling boats, and providing an effective date.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 99D.7, subsection 19, Code 1993, is amended to read as follows:

19. To require licensees to indicate in their racing programs those horses to which the drugs are treated with the legal medication lasix or phenylbutazone were administered within ten days before the race or to which the drugs are to be administered before the race. The program shall also indicate if it is the first, second, or third or subsequent time that a horse is racing with lasix, or if the horse has previously raced with lasix and the present race is the first race for the horse without lasix following its use.